

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA**

**In re:**

**ADMINISTRATIVE ORDER 99-2**

**MODIFICATION OF CHAPTER 13  
PROCEDURES**

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This court, in order to minimize the amount of attorneys' fees incurred in a chapter 13 case, to minimize the amount of time the court spends on uncontested matters, and to decrease the period of time from the filing of a chapter 13 petition to the disbursement of payments to creditors, hereby

**ORDERS** as follows:

1. The following procedures shall apply to all Chapter 13 cases filed on or after April 1, 1999, converted to Chapter 13 from another chapter of the Bankruptcy Code on or after April 1, 1999, or reinstated after April 1, 1999.

2. The chapter 13 trustee is hereby authorized to cancel the previously scheduled confirmation hearing of any chapter 13 case and submit a proposed "Order Confirming Uncontested Chapter 13 Plan" if (a) no oral or written objection is raised at or before the first meeting of creditors; or (b) an oral or written objection is raised at or before the first meeting of creditors but it is withdrawn or the objection is settled by the parties at or before the meeting of creditors.

3. If a chapter 13 plan is amended at or before the first meeting of creditors and no oral or written objection is raised thereto at or before the first meeting of creditors that

is not withdrawn or settled by the parties, the chapter 13 trustee is authorized to cancel the confirmation hearing and submit a proposed “Order Confirming Uncontested Chapter 13 Plan and Notice of Opportunity to Object to Amended Plan”. The trustee shall serve a copy of the amended plan, and a copy of the “Order Confirming Uncontested Amended Chapter 13 Plan and Notice of Opportunity to Object to Amended Plan” on all parties of record. This order and notice shall notify any creditor whose treatment under the amended plan was amended from the plan as originally filed of the right to object within 25 days of entry of the Order.

4. A chapter 13 plan may seek determination of valuation pursuant to 11 U.S.C. § 506(a) and Bankruptcy Rule 3012 if specified in the plan in print either highlighted or bold. Any oral or written objections to such determination must be raised at or before the first meeting of creditors. If no oral or written objections to such determination are raised at or before the first meeting of creditors, the valuation specified in the plan will be binding upon the affected secured creditor. The notice provisions of this paragraph shall be included in the “Notice of Chapter 13 Bankruptcy Case” prepared by the clerk of court.

5. Oral or written objections to the debtor(s)’ chapter 13 plan or to the debtor(s)’ proposed valuation pursuant to 11 U.S.C. § 506(a) shall be heard at the confirmation hearing as originally scheduled in the “Notice of Chapter 13 Bankruptcy Case” prepared by the clerk of court.

6. If, at the first meeting of creditors, the debtor is not current in plan payments under the plan as originally filed, the chapter 13 trustee may submit a proposed order dismissing the debtor(s)’ chapter 13 case and the case may be dismissed without further

notice or hearing. Dismissal shall be with prejudice to the debtor(s) filing any bankruptcy case for a period of 180 days from entry of the Order of Dismissal. The trustee shall utilize the procedures provided for in Administrative Order 99-3 for any default that occurs after confirmation of the debtor(s)' plan.

7. Contemporaneously with the filing of a chapter 13 plan, the debtor(s) shall serve on the chapter 13 trustee evidence of debtor(s)' income, including copies of debtor(s)' tax return for the year preceding the filing of the petition and the last three pay stubs received prior to the filing of the petition. These documents shall not be filed with the court.

8. The provisions of this Administrative Order shall, where in conflict, supercede the provisions of any Local Rule or previously entered Administrative Order.

**ORDERED** in the Southern District of Florida on March 12, 1999.

/s  
CHIEF JUDGE A. JAY CRISTOL  
United States Bankruptcy Court

cf: All SD Bankruptcy Judges  
Robert Angueira, Office of the U.S. Trustee  
Robin R. Weiner, Standing Chapter 13 Trustee  
Nancy N. Herkert, Standing Chapter 13 Trustee